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Attorneys for Defendants Rimini Street, Inc. and Seth Ravin

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
SETH RAVIN, an individual,

Defendants.

RIMINI STREET, INC.
Daniel B. Winslow (*pro hac vice*)
6601 Koll Center Parkway, Suite 300
Pleasanton, CA 94566
Telephone: (925) 264-7736
dwinslow@riministreet.com

John P. Reilly (*pro hac vice*)
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Case No. 2:10-cv-0106-LRH-VCF

**DECLARATION OF MARK A. PERRY IN
SUPPORT OF DEFENDANTS' MOTION
(1) TO STAY ENFORCEMENT OF
PERMANENT INJUNCTION PENDING
APPEAL, OR ALTERNATIVELY (2) FOR
A TEMPORARY SIXTY-DAY STAY**

Judge: Hon. Larry R. Hicks

DECLARATION OF MARK A. PERRY

I, Mark A. Perry, declare as follows:

1. I am an attorney admitted to practice *pro hac vice* before this Court. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys responsible for the representation of Defendants Rimini Street, Inc. and Seth Ravin in the above-captioned matter.

2. I submit this declaration in support of Defendants' Motion (1) to Stay Enforcement of Permanent Injunction Pending Appeal, or Alternatively (2) for a Temporary Sixty-Day Stay (the "Motion"). Unless otherwise indicated, I have personal knowledge of the foregoing and could and would testify to the same if called as a witness in this matter. The exhibits referenced below are attached to this declaration.

3. This situation merits an Emergency Motion under this District's Local Rules.

4. For all of the reasons stated in the Motion, Rimini will suffer irreparable harm if a stay of the injunction is not immediately granted and the injunction is allowed to go into effect.

5. Despite a sincere effort to resolve this matter without Court action, Rimini has been unable to do so. On October 11, 2016, shortly after this Court entered the permanent injunction, I caused a letter to be sent to Thomas Hixson, counsel for Oracle, requesting that Oracle stipulate to a stay, and notifying Mr. Hixson of this Motion. Mr. Hixson responded that "Oracle is unable to evaluate [Rimini's] request for a stay of the injunction." Rimini therefore seeks relief from this Court.

6. The office addresses and telephone numbers of the movant are as follows:

John P. Reilly
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3993 Howard Hughes Pkwy Ste 500
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JReilly@riministreet.com

Daniel B. Winslow
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925-264-7736
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7. The office addresses and telephone numbers of affected parties are as follows:

Dorian Daley
Oracle Corporation
500 Oracle Parkway
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650-506-5500
dorian.daley@oracle.com

James C. Maroulis
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Deborah K. Miller
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8. Attached as **Exhibit A** is a true and correct copy of the March 8, 2016 letter from Daryl M. Crone of Crone Hawxhurst LLP on behalf of Oracle to Kenneth McLaren, Associate Counsel at Saint Francis Hospital & Medical Center.

9. Attached as **Exhibit B** is a true and correct copy of the May 31, 2016 letter from Zachary Hill of Morgan Lewis on behalf of Oracle to Ellen MacDonald, Chief Information Officer of the Government of Newfoundland and Labrador.

10. Attached as **Exhibit C** is a true and correct copy of Plaintiffs' Trial Exhibit PTX_5466.

11. Attached as **Exhibit D** is a true and correct copy of the parties' April 6, 2015 Stipulation Regarding PeopleSoft License Agreements & Express License Defense.

12. Attached as **Exhibit E** is a true and correct copy of a publicly available PeopleSoft Oracle License and Services Agreement between Oracle and the State of Kansas.

13. Attached as **Exhibit F** is a true and correct copy of my October 11, 2016 letter to Mr. Hixson.

14. Attached as **Exhibit G** is a true and correct copy of Mr. Hixson's October 12, 2016 letter to me.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12th day of October, 2016, at Washington, D.C.

/s/ Mark A. Perry
Mark A. Perry